



# NATIONAL COUNCIL OF NEGRO WOMEN, INC.

## NATIONAL HEADQUARTERS:

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October 8, 2008

Chairman Kevin J. Martin  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

RE: Docket No. 07-294

Dear Chairman Martin:

NCNW and its members respectfully oppose the Commission's proposal to extend must-carry rights to Class A low-power television ("LPTV") broadcasters. While we certainly commend the Commission's intention of increasing diversity and localism in the cable sphere, we believe this extension of must-carry rights is unnecessary and not the best way to achieve those goals. Additionally, we believe the Commission lacks the legal authority to impose such an extension; such an extension would in fact stifle diversity and hinder the expansion of broadband services.

NCNW believes that imposing additional must-carry obligations on cable operators would lead to less diversity, not more. As the Commission is often warned, the barriers to entry in the broadcast TV business are quite high, whereas network/content ownership opportunities in cable only continue to grow via new technologies that expand channel space. And yet for every LPTV station that opts for must-carry status, one less channel is available to a new startup trying to enter the cable TV market. Thus this vast expansion of must-carry rights could stifle the growth of diverse programming.

It is NCNW's belief that the Commission lacks the legal authority to impose this extension. Section 614 of the 1992 Cable Act clearly and unambiguously illustrates that LPTV stations are secondary to full power stations, and that a cable operator is only required to carry LPTV stations in very specific circumstances. We believe the language of Section 614 prevents the Commission from extending blanket must-carry rights to LPTV stations and that any future extension must come directly from Congress.

Finally, we believe this extension would hinder implementation of another key FCC policy goal: the expansion of broadband Internet access. Video providers are spending billions of dollars to upgrade their systems to use more efficient digital channels, freeing up bandwidth for faster broadband and other advanced services.

Requiring cable operators to carry analog LPTV stations would not only be inefficient, but it would stifle the nationwide goal of increasing broadband penetration.

For the forgoing reasons, we urge the Commission to reject the proposal extending must-carry obligations to LPTV stations.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alfreda V. Davis". The signature is fluid and cursive, with the first name being the most prominent.

Alfreda V. Davis  
Executive Director

CC: Commissioner Michael Copps  
Commissioner Jonathan Adelstein  
Commissioner Robert McDowell  
Commissioner Deborah Tate